

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
RALEIGH DIVISION

In re:

Gregory Thomas Ballou

Erin Alise Ballou

Soc.Sec.No.: xxx-xx-2409 and xxx-xx-3203

Mailing address: 416 Euphoria Circle, Cary, NC
27519-

Case No. 09-04448-8-ATS

Chapter 7

Debtors.

**OPPOSITION TO THE BANKRUPTCY ADMINISTRATOR'S
MOTION TO DISMISS**

NOW COME the DEBTORS, by and through counsel undersigned, who hereby oppose the Motion to Dismiss, dated 8/31/09, filed by the Bankruptcy Administrator, in its entirety. In response to the specific issues raised in the Motion, the Debtors offer the following:

The Debtors have filed amended schedules I and J to correctly reflect their income and expenses as of the date of filing, addressing the inaccuracies listed in the Bankruptcy Administrator's Motion to Dismiss. The amended schedules reflect that the Debtors' monthly expenses outweigh their income and that their expenses are expected to increase

WHEREFORE, the Debtors pray that the Court deny the Bankruptcy Administrator's Motion to Dismiss, based upon the response; and that it set this matter for hearing; and that it grant such other and further relief which it deems just, proper and equitable.

Dated: September 23, 2009.

LAW OFFICES OF JOHN T. ORCUTT, P.C.

/s Josh Hillin

Josh Hillin, Attorney
N.C. State Bar No.: 28288
6616-203 Six Forks Road
Raleigh, NC 27615
Tel. No.: (919) 847-9750

CERTIFICATE OF SERVICE

I, Josh Hillin, of the Law Offices of John T. Orcutt, P.C., do hereby certify, under penalty of perjury, that I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age; and that on September 23, 2009, I served copies of the foregoing Opposition to Motion to Dismiss, by automatic electronic noticing upon the following Trustee:

Bankruptcy Administrator

by regular U.S. mail, upon the Debtors at the following address:

Gregory Thomas Ballou
Erin Alise Ballou
416 Euphoria Circle
Cary, NC 27519-

/s Josh Hillin

Josh Hillin